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HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2012

ROUGH DRAFT
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TWENTY-THIRD DAY
FEBRUARY 22, 2012

OFFICE OF THE CHIEF CLERK

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TWENTY-THIRD DAY

Wednesday, February 22, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Bishop Eric Matsumoto of the Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Members present.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Second Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 27 through 31) were received and announced by the Clerk:

Sen. Com. No. 27, transmitting S.B. No. 2012, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," which passed Third Reading in the Senate on February 21, 2012.

Sen. Com. No. 28, transmitting S.B. No. 2508, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," which passed Third Reading in the Senate on February 21, 2012.

Sen. Com. No. 29, transmitting S.B. No. 2771, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR REIMBURSEMENT OF COSTS RELATED TO THE ASIA-PACIFIC ECONOMIC COOPERATION MEETINGS," which passed Third Reading in the Senate on February 21, 2012.

Sen. Com. No. 30, transmitting S.B. No. 2808, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HEALTH CARE PAYMENTS," which passed Third Reading in the Senate on February 21, 2012.

Sen. Com. No. 31, transmitting S.B. No. 2818, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEAD HUMAN BODIES," which passed Third Reading in the Senate on February 21, 2012.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Oshiro and Takai were excused.)

S.B. No. 2012, SD 1
S.B. No. 2508, SD 2
S.B. No. 2771, SD 1
S.B. No. 2808
S.B. No. 2818

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Thielen introduced family friends who are students visiting Washington State: Ms. Julia Lober, Ms. Caroline Lober, and Ms. Sarah Lober.

Representative Carroll introduced Mr. Robert Nakagawa of the Boy Scouts of America, Maui County Council; and Mr. David Earls.

Representative Belatti introduced the 2nd grade students, and English as a Second Language students of Hawaiian Mission Academy.

Second Grade Students: Marley Cook, Josiah Del Prado, Yoshimune Hadley, Donald Jones, Nari Shin, Elijah Solidum, Jalyan Sypert, and Christopher Uyema.

English as a Second Language Students: Shannon Anderson, Hina Ichikawa, Mui Kanazawa, Momoka Kobayashi and Ayano (Sylvia) Tanaka.

Teachers and Chaperones: Teachers, Mrs. Nel Rittenbach and Ms. Frances Oshita; and Chaperones, Mrs. Hiromi Goto Hadley, Ms., Epilihter Kado, Mr.. Naoichi Kanazawa and Mrss Nanko Kanazawa.

Representative Mizuno also recognized his friend, 2nd grade student, Eljia Solidum of the Hawaiian Mission Academy.

Representative Ching introduced her legislative staff, Office Manager Ms. Jessica Bursack, and Ms. Tiffany Au.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 37) was announced by the Clerk and the following action taken:

H.R. No. 37, entitled: "HOUSE RESOLUTION RECOGNIZING THE 2012 HONPA HONGWANJI MISSION OF HAWAII'S LIVING TREASURES," was jointly offered by Representatives Saiki, Cabanilla, Nishimoto, Wooley and Yamane.

Representative Saiki moved that H.R. No. 37, be adopted, seconded by Representative Yamane.

Representative Saiki commended the Honpa Hongwanji Mission 2012 Hawaii's Living Treasures, and congratulated the honorees who were seated on the Floor of the House.

Representative Saiki then introduced Mr. Gordon Mark, self-taught ukulele virtuoso and composer of many Hawaiian and modern musical compositions, and former faculty member at the University of Hawaii and instructor at the Art Department.

Representative Yamane introduced Mrs. Barbara Kawakami, textile entrepreneur, author and local historian specializing in Japanese heritage, and immigration studies and clothing. She was accompanied by her daughter and son, Ms. Fay Toyama and Mr. Gary Kawakami; sponsors, Mr. Norman Hirohata-Goto and Dr. John Connor; and friends, Mr. and Mrs. Yoshitake who were seated in the gallery.

Representative Cabanilla introduced Mr. Goro Arakawa, a Waipahu icon with a passion for Hawaiian history and culture, community leader, volunteer, business entrepreneur, visionary and founding member of the Waipahu Plantation Village.

Representative Wooley introduced Mrs. Lynnette Paglinawan, internationally recognized practitioner and teacher of the ancient Hawaiian practice of *ho'oponopono*. She was accompanied by her husband, Mr. Richard Paglinawan who was seated in the gallery.

Representative Nishimoto introduced Dr. Ben Finney, anthropology professor at the University of Hawaii, co-founder of the Polynesian Voyaging Society and Hokule'a crewmember on its maiden voyage in 1976. He was accompanied by his wife, Mrs. Milla Finney who was seated in the gallery.

Representative Ching congratulated the honorees for their strength, and for inspiring future generations and teaching them the importance of heritage.

Representative Oshiro offered his personal gratitude to the honorees and reflected on how each one had touched and shaped his life, and inspired and mentored him to be the person he is today.

Representative Ward applauded the honorees for making a difference in our community, particularly Mr. Arakawa for being a small business role model; and Dr. Finney for being on his PhD dissertation committee.

The motion was put to vote by the Chair and carried, and H.R. No. 37, was adopted.

At 12:34 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

SUSPENSION OF RULES

At this time, the Chair announced:

"Members, please note that HB No. 2133 has been re-referred solely to the Committees on Human Services, and Culture & the Arts per Committee Referral Sheet No. 35 which was delivered to your offices yesterday. The Committee on Finance waived its referral to this measure and therefore it is appropriate for the House to consider action for passage on Third Reading.

"We will take up four motions at this time to address passage on Third Reading on HB No. 2133."

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended to reconsider action previously taken on H.B. No. 2133. (Representative Chang was excused.)

RECONSIDERATION OF ACTION TAKEN

On motion by Representative Manahan, seconded by Representative Evans and carried, the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 342-12, recommending referral to the Committee on Finance. (Representative Chang was excused.)

SUSPENSION OF RULES

On motion by Representative Manahan, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representative Chang was excused.)

UNFINISHED BUSINESS

H.B. No. 2133:

On motion by Representative Manahan, seconded by Representative Evans and carried, H.B. No. 2133, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Third Reading by a vote of 50 ayes, with Representative Chang being excused.

At 1:01 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 2133

REPORTS OF STANDING COMMITTEES

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 659-12), recommending that H.C.R. No. 41, be referred to the Committee on Legislative Management.

On motion by Representative Manahan, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF THE PROFESSION OF MUSIC THERAPY," was referred to the Committee on Legislative Management, with Representative Chang being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 660-12) recommending that H.C.R. No. 18, be adopted.

On motion by Representative Manahan, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT THE EFFORTS OF THE NATIONAL WOMEN'S HISTORY MUSEUM TO SECURE A PERMANENT HOME IN THE NATION'S CAPITAL," was adopted, with Representative Chang being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 36) and concurrent resolutions (H.C.R. Nos. 55 and 56) were referred to Printing and further action was deferred:

H.R. No. 36, entitled: "HOUSE RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was offered by Representative Yamane.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE UNIVERSITY CLINICAL, EDUCATION AND RESEARCH ASSOCIATES, INC.," was offered by Representative Yamane.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was offered by Representative Yamane.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker. On behalf of the Fellowship Luncheon and all faiths, and Representative Mizuno, and myself, all Members are invited to Room 437 for a bento lunch and fellowship. Thank you."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

H.R.
Nos.

Referred to:

33 Committee on Legislative Management, then to the Committee on Finance

- 36 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

H.C.R.**Nos.** **Referred to:**

- 54 Committee on Legislative Management, then to the Committee on Finance
- 55 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Legislative Management, then to the Committee on Finance
- 56 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

S.B.**Nos.** **Referred to:**

- 2012,
SD1 Committee on Finance
- 2508,
SD2 Committee on Judiciary
- 2771,
SD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance
- 2808 Committee on Human Services, then to the Committee on Finance
- 2818 Committee on Health, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.B.**Nos.** **Re-referred to:**

- 283 Committee on Finance
- 2748 Committee on Finance

ADJOURNMENT

At 1:03 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Thursday, March 01, 2012. (Representative Chang was excused.)